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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR    | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 10/690,718      | 10/23/2003  | John Emmett Riordan III | 1137-12             | 6360             |

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EXAMINER

HEWITT, JAMES M

ART UNIT PAPER NUMBER

3679

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/690,718

Applicant(s)

RIORDAN ET AL.

Examiner

James M Hewitt

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10/23/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

The disclosure is objected to because of the following informalities:

Throughout the disclosure (including Abstract), "TEE" should be replaced with "tee".

On line 5 of paragraph [0013], the extraneous comma should be deleted.

Appropriate correction is required.

### ***Claim Objections***

Claims 1-10 and 12 are objected to because of the following informalities:

In claim 1 line 5, "another" should be replaced with "the other".

In claim 1 line 6, "another" should be replaced with "the other".

In claim 7 line 2, "another" should be replaced with "the other".

In claim 10 line 3, should "threads" be "thread" to accurately reference the external thread of the male fitting?

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

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said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carter, Sr. (US 4,537,426).

With respect to claim 1, Carter, Sr. discloses a connection system comprising: first and second pipes (12, 14) for flowing a fluid; one (14) of said first and second pipes having a female fitting (18''') in fluid communication with the one pipe, said fitting having tapered female threads; the other (12) of said first and second pipes having a male fitting (16) in fluid communication with said other pipe, said male fitting having an external thread and a cylindrical section extending from said external thread; said male fitting being receivable in the female fitting with the male and female threads engageable with one another to connect the fittings to one another; a cylindrical gasket (20''') between said male and female fittings and spaced from the male and female threads upon connecting the fittings to one another; the male cylindrical section and the female

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fitting engaging said gasket when the fittings are connected to one another to seal the fittings to one another thereby to establish fluid communication therebetween. Carter, Sr. fails to teach that the threads on the female fitting are straight and non-tapered. Carter's male and female fittings have mating tapered threads. Given that it is well known in the art to employ many different thread types, it would have been an obvious matter of design choice to modify Carter's fittings to include a given thread type, including straight and non-tapered threads, based on the suitability and/or user preference for a particular application.

With respect to claim 2, wherein said fittings, when connected to one another by said threads, are rotatable (when loosening the threads for example) relative to one another while maintaining the gasket in sealing relation between the male and female fitting.

With respect to claim 3, wherein said fittings are formed of a cast material, for example plastic.

With respect to claim 4, wherein said female fitting has an opening adjacent one end for receiving the male fitting, the gasket being located on the female fitting on a side of the female threads remote from the opening.

With respect to claim 5, wherein said male fitting has an opening on one end for communicating the fluid between the first and second pipes, the male thread being located on the male fitting an axial distance from the male fitting opening at least equal to an axial distance between the gasket and a first of the female threads adjacent the female fitting opening thereby enabling the cylindrical section of the male fitting to seal within said gasket of the female fitting

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upon initial threading engagement of the male and female threads with one another.

With respect to claim 6, including a stop (shoulder formed by endmost thread groove or endmost thread as shown in Figure 1) carried by said male fitting precluding full threading of the male fitting into the female fitting.

Alternatively, as the Examiner takes official notice of such a stop, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Carter, Sr. with such a thread stop in order to preclude complete threading of Carter's male fitting into his female fitting.

With respect to claim 7, said one pipe (14), given the broadest reasonable interpretation, could constitute or be applicable to a "main" fluid flow line, and said other pipe (12) could constitute a "lateral" line. Note also Figures 4-6. Carter, Sr. fails to disclose that said lateral line includes an elbow terminating in said male fitting. As elbows are common and widely used in the art, it would have been an obvious matter of design choice for the skilled artisan to employ an elbow as the, or part of the, lateral line, based on the suitability and/or user preference for a particular application.

With respect to claims 8-10, refer above to the rejections of claims 3-5 respectively.

With respect to claim 12, the Examiner takes official notice of the use of such a saddle. And it would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a saddle about said one pipe in order to provide increased support and stability.

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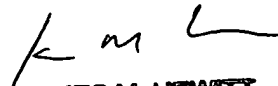
**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M Hewitt whose telephone number is 703-305-0552. The examiner can normally be reached on M-F, 930am-600pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**JAMES M. HEWITT**  
**PRIMARY EXAMINER**